

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 15

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~Arkansas Code §19-5-302, concerning State General Government Funds is amended by adding a new subsection as follows:~~

~~(14)(A) Higher Education Salary Distribution Fund Account. The Higher Education Salary Distribution Fund Account shall be used for the distribution of salary and cost of living adjustments to the various institutions of higher education.~~

~~(B) The fund account shall consist of those general revenues and any other funds as may be provided by law.~~

Language is codified. Agency Request is deletion of language from Appropriation Act only.

AGENCY REQUEST

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 16

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

~~TRANSFER PROVISION. Upon certification by the Director of the Department of Higher Education that transfers are needed to make maximum utilization of funds and appropriations provided for financial aid programs, and with the approval of the Chief Fiscal Officer of the State and a review by the Arkansas Legislative Council, funds and appropriations may be transferred between financial aid programs, except that funds and appropriations may not be transferred for such purposes from either the Governor's Scholars Program or the Academic Challenge Scholarships Program in excess of \$1,000,000 in the aggregate in either fiscal year. Any transfer restrictions contained in appropriation acts for the Department of Higher Education relating to appropriation transfers from Governor's Scholars Program and Academic Challenge Scholarships shall not be applicable to transfers between Governor's Scholars and Academic Challenge Scholarship appropriations.~~

~~—The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.~~

#### AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 17

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

LOANS. In order to provide timely payments under financial aid appropriations made in this Act, the Chief Fiscal Officer of the State is authorized to provide loans from the Budget Stabilization Trust Fund to make available all funds attributable to the financial aid programs under the then current official revenue estimates. In the event of an unanticipated state revenue shortfall, any such loans remaining at the end of a fiscal year shall be repaid from revenues distributed in the first two months of the next fiscal year. Funds for appropriations made in this Act for purposes other than financial aid shall not be affected by the application of this provision.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 18

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

WORK FORCE 2000 DEVELOPMENT FUND PROCEDURES. After the amounts to be made available to the various technical colleges have been determined as set out in Arkansas Code 26-51-205(d)(2), such documents as may be necessary shall be processed so that funds may be transferred from the Work Force 2000 Development Fund to the State Treasury fund or fund account from which the technical college draws its general revenue support. Such funds as may be transferred shall not exceed ~~77.19~~ 93.69% of the total funds available from the Work Force 2000 Development Fund during each fiscal year of the biennial period ending June 30, ~~2005~~ 2007.

In the event that a technical institute or comprehensive lifelong learning center which receives support from the Work Force 2000 Development Fund as determined by law transfers or merges into the Arkansas Technical College and Community College System for which Work Force 2000 Development Fund monies are determined by law, then the actual amount of support from the Work Force 2000 Development Fund in the preceding fiscal year for such educational institution shall be made available irrespective of any other provision of law which sets out maximum levels of support from such fund.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

#### AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 19

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

BUILDING MAINTENANCE FUND. After the sum of \$13,200,000 has been deposited into the Higher Education Building Maintenance Fund, the next \$10,000,000 or so much as is collected, is to be transferred to the Research Development Fund there to be used as provided by law.

The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 20

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

REFUND TO EXPENDITURES. Proceeds derived from the repayment of loans as authorized in ~~Items (03), (05) and (11) of Section 4 of this Act~~ for the Emergency Secondary Education Loans, the JR/SR Minority Teacher Scholars, ~~and the Minority Masters Fellows~~ and the Targeted Teacher Development Program shall be deposited into the State Treasury as "Refunds to Expenditures."

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 21

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD. The balance of the funds and appropriations as determined by the Director of the Arkansas Department of Higher Education as provided in Section 4 the Student Financial Aid Program of this Act for the Governor's Scholars Program and the Academic Challenge Scholarships Program which remain on June 30, ~~2004~~ 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, ~~2005~~ 2007.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 22

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Arkansas Code § 29-20-129 is repealed.

AGENCY REQUEST



**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 23

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

National Guard Tuition Assistance Program. In addition to any other provisions of law, any student who receives assistance from the appropriation made for the "National Guard Tuition Assistance Program" in this Act shall repay any loans and/or assistance if the student receives a discharge that is a less than Honorable Discharge.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 24

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

GOVERNOR'S SCHOLARS PROGRAM. Should the funding of Governor's Scholars Program exceed the funding level of the previous fiscal year and the number of scholarships awarded increases to 200 or more, the Department of Higher Education shall make every effort to assure a geographic distribution of the awards without compromising the academic criteria established for such awards.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 25

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

COLLEGE SAVINGS BONDS. The Department of Higher Education shall adopt rules and regulations for the allocation of the funds reappropriated for the development of projects at State Institutions of Higher Education and the payment of project costs and expenses of the issuance of the bonds of the Arkansas College Savings General Obligation Bonds Program to ensure that funds are allocated and expended in a manner consistent with the provisions of the Internal Revenue Code applicable to the Arkansas College Savings General Obligation Bond Program (Program). The funds reappropriated for the development of projects at State Institutions of Higher Education and the payment of project costs and expenses of the issuance of the bonds of the Arkansas College Savings General Obligation Bonds Program shall be allocated and expended pursuant to the provisions of Arkansas Code 6-62-701 et. seq. and other laws of this State. The expenditure and allocation of funds shall be exempt from any other provisions of state law which conflicts with any provision of the rules and regulations which rules and regulations are required to ensure the compliance of the Program with the applicable provisions of the Internal Revenue Code.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

#### AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 26

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

COLLEGE SAVINGS BONDS LIMITATIONS. The total principal amount of bonds to be issued during any fiscal biennium shall not exceed three-hundred million dollars (\$300,000,000), nor shall the principal amount of bonds outstanding at any time have debt service requirements in excess of twenty-four million dollars (\$24,000,000) in any one fiscal year from all sources.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 27

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~TRANSFER OF HIGHER EDUCATION GRANTS FUND APPROPRIATIONS—  
HEALTH EDUCATION GRANTS. Upon certification to and with the  
approval of the Chief Fiscal Officer of the State, surplus funds and  
appropriations may be transferred between the appropriations provided  
for "Health Education Grants" by this Act by the Eighty Fourth Eighty Fifth  
General Assembly for Dental Aid, Optometry Aid, Veterinary Aid, Podiatry  
Aid, Chiropractic Aid and Osteopathic Aid.  
———The provisions of this section shall be in effect only from July 1,  
2003 through June 30, 2005.~~

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 28

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

CARRY FORWARD - HEALTH EDUCATION GRANTS. The balance of the funds and appropriations, as determined by the Director of the Arkansas Department of Higher Education, as provided for "Health Education Grants" in the Health Professions Financial Assistance Program, in this Act which remain on June 30, ~~2004~~ 2006, shall be carried forward and made available for the same purposes for the fiscal year ending June 30, ~~2005~~ 2007.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 29

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

~~REPORTING REQUIREMENTS — HEALTH EDUCATION GRANTS. — The Arkansas Department of Higher Education shall annually compile information, as described herein, on students who receive financial aid through the appropriations for health education grants provided for in this Act. Such information shall include the number of students receiving financial aid under each line item of the appropriation made for "Health Education Grants" in this Act, the name of each out-of-state school which each student is attending or has attended, and, if available, the location and occupation of each student who has completed the course of study for a period of three years following completion.~~

~~Such information shall be compiled into a report and presented in conjunction with the biennial appropriation budget request for the appropriation provided herein, to the Arkansas Legislative Council.~~

~~———— The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.~~

#### AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 30

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

HEALTH EDUCATION GRANTS - PRIORITIES. The Arkansas Higher Education Coordinating Board, after consulting with the recognized associations of each of the applicable medical professions and other interested persons, shall determine the priorities for the applicable programs enumerated in the appropriation made for "Health Education Grants" in this Act. The Arkansas Department of Higher Education, if necessary, shall re-adjust the number of positions for entering students to be funded for each applicable program based upon the priorities determined by the board.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST



**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 31

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~HEALTH EDUCATION GRANTS STUDY. The Arkansas Higher Education Coordinating Board shall conduct a study during the 2003-2005 biennium as to the future need for health care providers in dentistry, veterinary medicine, chiropractic, optometry, osteopathy and podiatry in Arkansas and shall report its findings to the Legislative Council or Joint Budget Committee on or before October 1, 2004.~~

~~———— The provisions of this section shall be in effect only from July 1, 2003 through June 30, 2005.~~

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 32

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FINANCIAL AID PROGRAMS REPORTING. The Arkansas Department of Higher Education shall report by May 30 to the House and Senate Interim Committees on Education the budgeted allocation for each financial aid program funded through the Higher Education Grants Fund Account for the upcoming fiscal year and projections for the following year.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 33

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

AUDIT/REVIEW OF STATE SCHOLARSHIP FUNDS. Any post-secondary institution that receives state scholarship funds administered by the Arkansas Department of Higher Education shall be subject to audit/review of such funds by the Division of Legislative Audit, upon approval of the Legislative Joint Audit Committee.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 34

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

AUDIT DATA. All post-secondary institutions shall provide to the Arkansas Department of Higher Education a copy of the Integrated Post-Secondary Education Data System (IPEDS) within three weeks following the IPEDS due date, which shall be subject to audit by the Arkansas Department of Higher Education.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 35

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

APPROPRIATION TRANSFER PROCEDURES - AR GEOGRAPHICAL CRITICAL NEEDS MINORITY TEACHER SCHOLARSHIP PROGRAM. The Director of the Arkansas Department of Higher Education shall determine the amount available, up to \$200,000 per fiscal year, to fund the Arkansas Geographical Critical Needs Minority Teacher Scholarships and shall certify to the Chief Fiscal Officer of the State and the State Treasurer such amount as is required to be transferred from the Higher Education Grants Fund Account. Upon receiving such certification, the Chief Fiscal Officer of the State and the State Treasurer shall cause to be transferred the necessary funds and appropriation to the fund account of the University of Arkansas at Pine Bluff for implementation of this program. The University of Arkansas at Pine Bluff may use up to twenty percent (20%) of the funds and appropriation for administration of the program.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 36

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Arkansas Code § 6-61-201(f), concerning the Arkansas Higher Education Coordinating Board, is amended to read as follows:

(f) The board shall annually elect from its membership a chairman and such other officers as are necessary to carry on its business.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:** 25-1SS

**SECTION#:** 37

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

FUNDING FOR SALARY INCREASES. New funding through the Revenue Stabilization Act determined by the Arkansas Department of Higher Education to have been for salary increases for each year of the ~~2003-2005~~ 2005-2007 Biennium for Institutions of Higher Education shall be used exclusively for salary increases. New funding actually received for salary increases shall be spent exclusively for salary increases based upon the state general revenue portion of total unrestricted educational and general revenue. Funding received under this provision shall be used for no purpose other than to provide such salary increases. Any designated funds not used for salary increases shall be recouped at the end of each fiscal year and transferred to the General Revenue Allotment Reserve Fund.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:**

**SECTION#:** NEW

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SPECIAL LANGUAGE. STUDENT FINANCIAL AID. In accordance with Arkansas Code § 6-82-201, the Department of Higher Education (ADHE) administers a series of financial aid programs designed to improve accessibility and provide able and deserving full-time students the opportunity to continue their program of self-improvement in an approved private or public institution of postsecondary education of their choice in this state. In an effort to monitor the status of these financial aid programs, ADHE tracks and maintains data on retention and graduation rates of financial aid recipients. However, ADHE has limited influence on the relative success of the student recipient due to the fact that ADHE does not exercise any control over institutional policies or other programs and activities that may influence retention and graduation rates on the individual campuses.

AGENCY REQUEST

(NEW SPECIAL LANGUAGE REQUEST)



**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0700 Higher Education Department

**ACT#:**

**SECTION#:** NEW

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

HIGHER EDUCATION COORDINATOR OF RECRUITMENT FUNDING: The Chief Fiscal Officer of the State shall transfer the sums of ninety thousand, four hundred seventy-four dollars (\$90,474) for fiscal year ending June 30, 2006 and ninety-two thousand, seven hundred seventy-six dollars (\$92,776) for fiscal year ending June 30, 2007 from the Higher Education Grants Fund Account to the Department of Higher Education Fund Account in order to finance the personal services costs of the Higher Education Coordinator of Recruitment.

AGENCY REQUEST

(NEW SPECIAL LANGUAGE REQUEST)